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JACOBSON HOLMAN PLLC 400 SEVENTH STREET N.W. SUITE 600 WASHINGTON, DC 20004			DINH, KHANH Q	
			ART UNIT	PAPER NUMBER
			2151	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/812,136

Applicant(s)

WILLHIDE ET AL.

Examiner

Khanh Dinh

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4-7, 9, 12-14 and 16-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-7, 9, 12-14, 16-19 and 21 is/are rejected.
- 7) ☒ Claim(s) 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the Amendment and Remarks filed on 5/1/2006. Claims 1, 4-7, 9, 12-14, 16-21 are presented for examination.

Claim Objections

2. Claim 6 is objected to because of the following informalities: the limitation in claim 6 “...or other functions” provides an unclear meaning/functions to the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4, 5, 9, 13, 14, 17 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (hereafter Smith), U.S. Pat. No.6,901,430 in view of Orberdorfer, US pat. No.6,757,709.

As to claim 1, Smith discloses a system for monitoring and managing an enterprise network (ordering network), the system comprising:

a plurality of computer network management means (330, 338, 334, 336 fig.3) for generating management data concerning monitored operating events of the enterprise network

that are in need of correction (providing ordering and tracking information to consumer's information, see abstract, fig.3, col.7 line 28 to col.8 line 42).

a management interface means [322 fig.3] for receiving management data from one or more management means (330, 338, 334, 336 fig.3) (providing available products matching customer's specification, see col.8 lines 24-62).

a portal means (portal 318 fig.3) for receiving the management data from the one or more management means and presenting the management data in a predetermined format (see col.8 line 43 to col.9 line 53), the portal means including:

a client view means (enabling consumer 312 fig.3 to view images or pages) coupled to the portal means (portal 318 fig.3) for receiving the management data and simultaneously generating client view data in the form of a plurality of application view windows for displaying a status of the enterprise network on a real time basis in the single browser workspace (providing products information including status history of orders from consumers to servers and using browser software applications on client machines to download data information, see col.7 line 64 to col.8 line 42, col.9 lines 11-53 and col.31 lines 20-49 and col.12 line 56 to col.13 line 27); and

a workflow means (622 fig.7B) coupled to the portal system, the workflow system receiving the management data from the plurality of computer network management systems and providing one or more workflows response to the management data and providing in response to the management data one or more workflows for responding to monitored operating events that are in need of correction (identifying and confirming orders by consumers, see fig.7B, col.12 line 16 to col.13 line 35).

Smith does not specifically disclose providing a single browser for receiving format data and management data and generating client view data in the form of a plurality of application view windows. However, Oberdorfer discloses Smith does not specifically disclose providing a single browser for receiving format data and management data and generating client view data in the form of a plurality of application view windows (see fig.1, 4, col.2 lines 19-60 and col.5 line 26 to col.6 line 63 and col.7 lines 26-55). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Oberdorfer's browser in to the computer system of Smith to process data information because it would have enabled a reference to be changed by simple amend one entry in a cross reference list displayed by the browser.

As to claim 4, Smith discloses a channel format means for receiving channel format data (providing real time configuration data and pricing) and using the channel format data to interface with one of the management means (see col.5 line 26 to col.6 line 63 and col.7 lines 8-63).

As to claim 5, Smith discloses wherein each of the plurality of computer network management means has a log-in procedure, the system further comprising a user login system (344 fig.3) (using account identifiers, passwords of users to authorize users) coupled to the portal means, the user login system receiving user identification input data (user data) and generating management means login data for access to each of plurality of computer network management means (providing authentication services according to users' name/password to access to the ordering system, see fig.3, col.9 lines 65).

As to claim 9, Smith discloses an element information means coupled to the portal means, the element information means for receiving network element data from one or more network elements (312 fig.3) and providing the network element data (client data requests for order information) to the portal means (see fig.3, col.9 line 11 to col.10 line 48).

As to claim 13, Smith discloses a client layer that provides visual representation data for a component (see col.9 lines 11-53 and col.31 lines 20-49 and col.12 line 56 to col.13 line 27)).

As to claim 14, Smith discloses a method for monitoring and managing an enterprise network made up of a plurality of management means (330, 338, 334, 336 fig.3) that includes web pages that provide management data for the enterprise network, the web pages of each management producing management data concerning monitored operating events that are in need of correction (providing ordering and tracking information to consumer's information, see abstract, fig.3, col.7 line 28 to col.8 line 42), the method comprising the steps of:

receiving management data from the web pages means of the management means (330, 338, 334, 336 fig.3) and presenting the management data in a predetermined format (implementing customizable general purpose web pages that contain short summaries of current news, weather, financial news and serve as a starting point for many web surfers and providing available products matching customer's specification, col.7 line 28 to col.8 line 42 and see col.8 lines 24-62).

Generating from the formatted management data and using the client view data to display a status of the enterprise network on a real time basis (providing products information including status history of orders from consumers to servers in real time, see col.9 lines 11-53 and col.31 lines 20-49 and col.12 line 56 to col.13 line 27); and

providing one or more workflows (work flow 622 fig.7B) response to the management data, the work flows to provide corrective measures that correct monitored operating events that are in need of correction (identifying and confirming orders by consumers, see fig.7B, col.12 line 16 to col.13 line 35).

Smith does not specifically disclose providing a single browser for receiving format data and management data and generating client view data in the form of a plurality of application view windows. However, Oberdorfer discloses Smith does not specifically disclose providing a single browser for receiving format data and management data and generating client view data in the form of a plurality of application view windows (see fig.1, 4, col.2 lines 19-60 and col.5 line 26 to col.6 line 63 and col.7 lines 26-55). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Oberdorfer's browser in to the computer system of Smith to process data information because it would have enabled a reference to be changed by simple amend one entry in a cross reference list displayed by the browser.

As to claim 17, Smith discloses a method for generating a user request comprising: selecting one or more application data fields of a first application and creating a workflow process map (configuring a process to accommodate orders from customers, see fig.35, col.30 lines 29-65)

and assembling the data fields (status orders in fig.35) and the process map into a process and storing the process (see col.31 line 20 to col.32 line 23).

As to claim 21, Smith discloses a system for monitoring and managing an enterprise network (ordering network), the system comprising:

a plurality of computer network management means (330, 338, 334, 336 fig.3) that provide management data for the enterprise network, each management producing web pages (implementing customizable general purpose web pages that contain short summaries of current news, weather, financial news and serve as a starting point for many web surfers and providing available products matching customer's specification, col.7 line 28 to col.8 line 42 and see col.8 lines 24-62).

a management interface means [322 fig.3] receiving management data from one or more management means (330, 338, 334, 336 fig.3) (providing available products matching customer's specification, see col.8 lines 24-62).

a portal means (portal 318 fig.3) coupled to the management interface means, the portal means receiving the web pages from the one or more management means and presenting the management data in a predetermined format (see col.8 line 43 to col.9 line 53).

a client view means (enabling consumer 312 fig.3 to view images or pages) coupled to the portal system (portal 318 fig.3), the client view means providing a browser workspace for receiving web pages in the browser workspace (providing products information including status history of orders from consumers to servers and using browser software applications on client

machines to download data information, see col.7 line 64 to col.8 line 42, col.9 lines 11-53 and col.31 lines 20-49 and col.12 line 56 to col.13 line 27); and

a user login means coupled to the portal means, the user login means including a map of user ID and logon password data for each computer network management means that a user is authorized to access (using Report process (666 fig.3) for authenticating the user by verifying that the given user identifier and password are valid, see fig.33, col.27 line 60 to col.28 line 46);

means for receiving user identification input data for causing the user login means to generate management means login data for access to each of the plurality of the management means through one of the web pages associated with a given management means (see col.28 lines 10-67).

Smith does not specifically disclose providing a single browser for receiving format data and management data and generating client view data in the form of a plurality of application view windows. However, Oberdorfer discloses Smith does not specifically disclose providing a single browser for receiving format data and management data and generating client view data in the form of a plurality of application view windows (see fig.1, 4, col.2 lines 19-60 and col.5 line 26 to col.6 line 63 and col.7 lines 26-55). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Oberdorfer's browser in to the computer system of Smith to process data information because it would have enabled a reference to be changed by simple amend one entry in a cross reference list displayed by the browser.

5. Claims 6, 7, 12 and 16, 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith and Oberdorfer and further in view of Pulliam et al. (hereafter Pulliam), U.S. pat. No.6,609,108.

As to claim 6, Smith's teachings still applied as in item 6 above. Neither Smith nor Oberdorfer specifically discloses a workflow edit means for receiving from an operator workflow for performing device troubleshooting, event management. However, Pulliam in the same network consumer environment discloses a workflow edit system (dealer 1160 fig.16) an operator workflow for performing device troubleshooting, event management [initiating an order change from a customer, see fig.16, col.19 lines 7-65]. It would have been obvious to one of the ordinary skill of the art at the time the invention was made to implement Pulliam's workflow edit system into the computer system of Smith to control users' orders because it would have enabled users to customize to individual ones of the customer-specific variants and to provide a proper status history of orders to multiple users in the Web-based environments (see col.20 lines 1-52).

As to claim 7, Smith's teachings still applied as in item 6 above. Smith does not specifically disclose a workflow execution means for executing predefined workflow process data received from the workflow edit means to perform the workflow. However, Pulliam in the same network consumer environment discloses a workflow execution means (644 fig.16) for executing predefined workflow process data received from the workflow edit means to perform the workflow (orders) (placing orders to the system, see fig.16, col.19 lines 7-65). It would have been obvious to one of the ordinary skill of the art at the time the invention was made to implement Pulliam's workflow execution system into the computer system of Smith to control

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users' orders because it would have enabled users to customize to individual ones of the customer-specific variants and to provide a proper status history of orders to multiple users in the Web-based environments (see col.20 lines 1-52).

As to claim 12, Smith's teachings still applied as in item 3 above. Smith does not specifically disclose a web server- layer that generates *.HTML data for a component and performs translation of data for the component. However, Pulliam in the same network consumer environment discloses a web server- layer that generates *.HTML data for a component and performs translation of data for the component (using browser software applications to create documents and sending information to the servers, see fig.3, col.7 line 46 to col.8 line 59). It would have been obvious to one of the ordinary skill of the art at the time the invention was made to incorporate Pulliam's teachings into the computer system of Smith to control users' orders because it would have enabled users to customize general purpose web pages and allowed users to download/access web pages stored on servers connected to the Internet (see col.7 lines 46-64).

As to claim 16, Smith's teachings still applied as in item 3 above. Smith does not specifically disclose preventing the operation of one or more of the group including a TOP call command, a hard-coded URL, a hard-coded frame reference, or rule-based text manipulation of proxied data sources. However, Pulliam in the same network consumer environment discloses preventing the operation of one or more of the group including a TOP call command, a hard-coded URL, a hard-coded frame reference, or rule-based text manipulation of proxied data sources (returning

only orders matching customer's input requests including URL image orders, see fig.8, col.14 line 1 to col.15 line 20). It would have been obvious to one of the ordinary skill of the art at the time the invention was made to incorporate Pulliam's teachings into the computer system of Smith to control users' orders because it would have enabled users to customize to individual ones of the customer-specific variants and to provide a proper status history of orders to multiple users in the Web-based environments.

As to claim 18, Smith does not specifically disclose selecting one or more workflow application data fields for a second workflow application, modifying the workflow process map to include the second workflow application data fields, assembling the first workflow application data fields; the second workflow application data fields, and the workflow process map into the workflow process and storing the workflow process a workflow system. However, Pulliam in the same network consumer environment discloses selecting one or more workflow application data fields (orders from the customers with various configuration parameters) for a second workflow application, modifying (initiate a change) the workflow process map to include the second workflow application data fields (see fig.24), assembling the first workflow application data fields; the second workflow application data fields, and the workflow process map into the workflow process and storing the workflow process a workflow system (processing and controlling consumer orders with various configuration parameters, see fig.24, col.22 line 28 to col.23 line 60). It would have been obvious to one of the ordinary skill of the art at the time the invention was made to implement Pulliam's teachings into the computer system of Smith to control users' orders because it would have enabled users to customize to individual ones with

various configuration parameters and to provide a proper status history of orders to multiple users in the Web-based environments.

As to claim 19, Smith does not specifically disclose performing a workflow process test to determine whether the workflow generates acceptable results and storing the workflow process if the workflow generates acceptable results. However, Pulliam in the same network consumer environment discloses performing a workflow process test to determine whether the workflow generates acceptable results and storing the workflow process if the workflow generates acceptable results (using a tag attribute to indicate the approval, see fig.28) (processing and controlling consumer orders with various configuration parameters and sending a result of orders, see fig.28, col.22 line 28 to col.23 line 60 and col.26 lines 16-60). It would have been obvious to one of the ordinary skill of the art at the time the invention was made to implement Pulliam's teachings into the computer system of Smith to control users' orders because it would have enabled users to customize to individual ones with various configuration parameters and to allow the workflow manager to response properly to customers' requests in the Web-based environments.

Allowable Subject Matter

6. Claim 20 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments filed on 5/1/2006 have been fully considered but they are not persuasive.

- Applicant asserts that in a telephone interview in early December 2005, the Examiner indicates claim 20 is objected.

Examiner therefore shows that claim 20 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims as in this Office Action (see above).

- Applicant asserts that the term “network management” is defined as “operating events, network events or system events, system malfunction or error that require operator attention” as in the specification of the instant application.

Examiner respectfully disagrees. Examiner respectfully point out that only claimed subject matter, not the specification is the measure of the invention. Limitations in the specification cannot be read into the claims for the purpose of avoiding the prior art. See In re Self, 213 USPQ 1,5 (CCPA 1982); In re Priest, 199 USPQ 11, 15 (CCPA 1978). The Examiner has a duty and responsibility to the public and to Applicant to interpret the claims as broadly as reasonably possible during prosecution (see In re Prater, 56 CCPA 1381, 415 F.2d 1393, 162 USPQ 541 (1969)).

- Applicant asserts that the cited reference does not disclose a plurality of computer network management means for generating management data concerning monitored operating events of the enterprise network that are in need of correction; a management interface means for receiving management data from one or more management means; a portal means for receiving the management data from the one or more management means and presenting the management data in a predetermined format, a client view means coupled to the portal means for receiving the management data and simultaneously generating client view data in the form of a plurality of application view windows for displaying a status of the enterprise network on a real time basis in the single browser workspace; and a workflow means coupled to the portal system, the workflow system receiving the management data from the plurality of computer network management systems and providing one or more workflows response to the management data and providing in response to the management data one or more workflows for responding to monitored operating events that are in need of correction.

Examiner respectfully point out that the combination of cited references discloses the Applicant claimed invention. Specifically, Smith discloses a system for monitoring and managing an enterprise network (ordering network), the system comprising: a plurality of computer network management means (330, 338, 334, 336 fig.3) for generating management data concerning monitored operating events of the enterprise network that are in need of correction (providing ordering and tracking information to consumer's information, see

abstract, fig.3, col.7 line 28 to col.8 line 42), a management interface means [322 fig.3] for receiving management data from one or more management means (330, 338, 334, 336 fig.3) (providing available products matching customer's specification, see col.8 lines 24-62); a portal means (portal 318 fig.3) for receiving the management data from the one or more management means and presenting the management data in a predetermined format (see col.8 line 43 to col.9 line 53), the portal means including: a client view means (enabling consumer 312 fig.3 to view images or pages) coupled to the portal means (portal 318 fig.3) for receiving the management data and simultaneously generating client view data in the form of a plurality of application view windows for displaying a status of the enterprise network on a real time basis in the single browser workspace (providing products information including status history of orders from consumers to servers and using browser software applications on client machines to download data information, see col.7 line 64 to col.8 line 42, col.9 lines 11-53 and col.31 lines 20-49 and col.12 line 56 to col.13 line 27); and a workflow means (622 fig.7B) coupled to the portal system, the workflow system receiving the management data from the plurality of computer network management systems and providing one or more workflows response to the management data and providing in response to the management data one or more workflows for responding to monitored operating events that are in need of correction (identifying and confirming orders by consumers, see fig.7B, col.12 line 16 to col.13 line 35). Smith does not specifically disclose providing a single browser for receiving format data and management data and generating client view data in the form of a plurality of application view windows. However, Oberdorfer discloses Smith does not specifically disclose providing a single browser for receiving format data and management data and generating client view data in the form of a plurality of

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application view windows (see fig. 1, 4, col.2 lines 19-60 and col.5 line 26 to col.6 line 63 and col.7 lines 26-55). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Oberdorfer's browser in to the computer system of Smith to process data information because it would have enabled a reference to be changed by simple amend one entry in a cross reference list displayed by the browser as rejected above.

- Applicant asserts that the cited reference does not disclose providing management data and produces any web pages.

Examiner respectfully point out that Smith discloses the Applicant claimed invention by disclosing that the system can be accessed using browser software applications running on client computers, machines or devices to download and access files called web pages stored on servers connected to the Internet. Smith also teaches that using the same browser applications, consumers can also enter and send information (management data) to the servers. The Web pages can be single or multimedia documents created using hypertext markup language (HTML) (see fig.3, col.7 line 28 to col.8 line 62).

As a result, cited prior art does disclose a system and method for monitoring and managing an enterprise network made up of a plurality of management means, as broadly claimed by the Applicants. Applicants clearly have still failed to identify specific claim limitations that would define a clearly patentable distinction over prior art.

Conclusion

8. Claims 1, 4-7, 9, 12-14 and 16-19 and 21 are rejected.
9. Claim 20 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khanh Dinh

Khanh Dinh
Primary Examiner
Art Unit 2151
7/21/2006